

Serial No. 09/874,837

Attorney Docket No. PF02193NA

REMARKS/ARGUMENTS

Claims 1 through 14 remain in this application. Claims 1 and 8 have been amended.

Claims 1 through 5 and 8 through 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,907,677 to Glenn, et al. ("Glenn, et al. patent") in view of U.S. Patent No. 5,193,151 to Jain ("Jain patent") and U.S. Patent No. 5,793,365 to Tang, et al. ("Tang, et al. patent"). Claims 6 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Glenn, et al. patent in view of the Jain patent and the Tang, et al. patent, and in further view of U.S. Patent No. 6,587,450 to Pasanen ("Pasanen patent"). Claims 7 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Glenn, et al. patent in view of the Jain patent and the Tang, et al. patent, and in further view of U.S. Patent No. 5,712,587 to Schauder, et al. ("Schauder, et al. patent").

As stated at page 3, line 12, of the above Office Action, "Glenn in view of Jain does not teach synchronize communication of each chat message to the plurality of client devices". On the other hand, the Office Action goes on to cite FIG. 5 and col. 9, lines 22 through 35, of the Tang, et al. patent to show that the Tang, et al. patent teaches synchronized communication of each chat message to the plurality of client devices.

Claim 1 as amended provides, *inter alia*, adjusting transmission timing of chat messages to synchronize reception of each chat message at the plurality of client devices based on said link latency. Claim 8 as amended provides, *inter alia*, a chat server that adjusts transmission timing

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of chat messages to synchronize reception of each chat message at the plurality of client devices based on link latency. Thus, latency information is used to synchronize the messages.

In contrast, the Tang, et al. patent describes a chat room as a place for synchronous group interaction (col. 9, lines 25 and 26), but does not describe the type of synchronization performed and does not teach how to accomplish any type of synchronization. One having ordinary skill in the art may look to similar technology, such as simulcast paging systems, to accomplish synchronous group interaction. For example, a time stamp could be placed on a message, and the receiving clients could have synchronized clocks and hold messages for simultaneous display. The Tang, et al. patent does not describe or suggest synchronizing communication of chat messages *based on link latency*, as required by claims 1 and 8.

In addition, claims 1 and 8 provide adjusting transmission timing of chat messages to synchronize reception of each chat message at the plurality of client devices. The above Office Action states that the Jain patent teaches the adjustment of transmission timing, but any adjustment by the Jain patent is not for the purpose of coordinating arrival time. Jain's adjustments are for throughput, and the Jain patent clearly does not teach a method for synchronous reception of messages.

It should also be noted that, in contrast to claims 1 and 8 as amended, the Jain patent describes a means to avoid congestion by reducing the packet rate when network latency is high. The Jain patent does not describe or suggest the time of transmission of messages as required by claims 1 and 8, but rather the rate.

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Claims 2 through 7 and 9 through 14 depend from and include all limitations of independent claims 1 and 8 as amended. Therefore claims 2 through 7 and 9 through 14 distinguish patentably from the Glenn, et al. patent, the Jain patent, the Tang, et al. patent, the Pasanen patent, the Schauder, et al. patent, and any combination of these patents for the reasons stated above for amended claims 1 and 8.

Regarding claims 3 and 10, the Jain patent teaches a different concept. Claims 1 and 8 provide for individual messages and controlling the start time that each message is transmitted, whereas the system of the Jain patent controls transmission packet speed, i.e., bit rate. Claims 1 and 8 are coordinating message arrival at multiple destinations, whereas the Jain patent is concerned with a single destination.

Regarding claims 4 and 11, the citation (Jain, col. 3, lines 35 through 42) does not appear to relate to the argument. Clarification is hereby requested.

Regarding claims 6 and 13, the Examiner has interpreted the transmission of "status" to a server, as described by the Pasanen patent, to include the slowest link information. However, there does not appear to be any basis for the Examiner's interpretation of the "status" described by the Pasanen patent. Also, the "status" of the Pasanen patent applies to the peripheral device, not the link connecting the device as required by claims 6 and 13.

In view of the above, reconsideration and withdrawal of the 35 U.S.C. §103(a) rejections of claims 1 through 14 are respectfully requested.

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CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
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